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EXAMINER

BOYCE, ANDRE D

ART UNIT PAPER NUMBER

3623

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/608,293

Applicant(s)

MISSINHOUN ET AL.

Examiner

Andre Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Final office action is in response to Applicant's amendment filed January 30, 2004. Claims 1, 2, 4-6, 8-12, 14-16, and 18-20 have been amended. Claim 3 has been canceled. Claims 1, 2, and 4-20 are pending.

2. The previously pending objections to claims 4, 8, 14, and 18 have been withdrawn.

The previously pending rejections to claims 1, 6, 8, 10, 11, 16, 18, and 20 under 35 U.S.C. § 112 have been withdrawn.

The previously pending rejection to claims 1-4 under 35 U.S.C. § 101 have been withdrawn.

3. Applicant's arguments with respect to claims 1, 8, 11, and 18 have been considered but are moot in view of the new ground(s) of rejection, based upon Applicant's amendments to the claims.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 2, 4-7, and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bushey et al (USPN 6,389,400), in view of Kannan (US 2001/0054064).

As per claims 1 and 2, Bushey et al disclose a method for interacting with a customer interaction center (i.e., service center) over a computer network (customer contacts the service center through a customer interface, including telephone, interactive voice response system, internet, or computer, figure 6 and column 9, lines 38-45), comprising the steps of: determining a channel through which the interaction will be conducted (contact via a channel), including identifying *at least one* of a telephone connection from the customer to an automated telephone system, a telephone voice connection with a human CSR, postal mail, electronic mail, a facsimile connection, a client computing device, and a thin client connection device via a wireless interface (e.g., telephone call, internet, computer network, column 6, lines 57-60); if the channel is one of postal mail, electronic mail, or facsimile connection, transmitting an acknowledgement to the customer with an expected time of reply, if the channel is one of a telephone connection, a telephone voice connection, a client computing device, and a thin client computing device, establishing a connection between the customer and the customer interaction center along the channel (e.g., customer's initial inquiry in via a phone call placed to the call center, column 8, lines 35-46), automatically calculating a customer value for the customer based on historical customer interaction information (i.e., customer model developed from information obtained through customer task and query along with

background information is quantified into a customer score, column 9, lines 4-7); and determining whether said customer value exceeds a predetermined threshold (threshold match value, column 10, lines 35-37).

Bushey et al does not disclose if said customer value is less than said predetermined threshold presenting said customer with a partial list of interaction options and receiving a selected option from the customer, if said customer value is not less than said predetermined threshold, presenting said customer with a complete list of interaction options and receiving a selected interaction option from the customer, and conducting the interaction in accordance with the selected option. Kannan et al disclose the customer selecting the type of customer service wanted, including via computer (question/answer) or phone (live CSR), based upon the authorization for the type of customer service the customer can receive, whether the customer is high-margin or low-margin (§ 0088). Both Kannan and Bushey are concerned with effective customer service, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include presenting said customer with a partial list of interaction options and receiving a selected option from the customer, if said customer value is not less than said predetermined threshold, presenting said customer with a complete list of interaction options and receiving a selected interaction option from the customer, and conducting the interaction in accordance with the selected option in Bushey, as seen in Kannan, as an effective means of providing the corresponding interaction options to via the customer interface, thus making the system more robust.

As per claim 4, Bushey et al disclose retrieving a contact history that corresponds to said customer from a contact history database (historical background information S8, figure 3, column 8, lines 50-51); presenting the contact history to a CSR; and interacting with the customer in accordance with the contact history, wherein said contact history is comprised of information related to previous interactions with the customer (based on the customer model, the customer is matched with the ideal agent, column 9, lines 20-22).

As per claim 5, Bushey et al disclose observing at least one customer response to a specific question (query customer background and satisfaction issues via customer survey, figure 3 and column 8, lines 64-67); creating a customer profile (i.e., customer model S10, column) recording said at least one customer response in a customer interaction database record (model is updated for future access S11, figure 4); repeating the observing, creating and recording steps until the completion of the interaction (i.e., completion of the survey); and copying said customer interaction database record to said contact history database (database 6, figure 6).

As per claim 6 (10), Bushey et al disclose receiving a request from a client computing device (customer interface 2 including computer or any other device, column 9, lines 40-45) to access a customer service interaction center. Bushey et al does not disclose determining whether said request originates from a first client computing device comprised of a first processor or from a second client computing device comprised of a second processor, wherein said first client computing device is comprised of a slower central processing unit and a lower resolution display than

said second client computing device; and responding to said request in a format compatible with said first client computing device, provided said request originated from said first client computing device, otherwise; responding to said request in a format compatible with said second client computing device, if said request originated from said second client computing device. However, Bushey et al disclose any other device able to connect to the service center and the Examiner takes Official Notice that thin client computing devices (i.e., PDA, cellular, and paging) are well known in the art and normally consist of slower processors and smaller memories than laptop or desktop clients, as seen in Applicant's specification (see page 11, lines 13-14), and would be recognized and responded to as such. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include determining and responding to the client according to processor and memory capacities in Bushey et al, thereby determining the most effective communication means via customer interface 2 (figure 6).

As per claim 7, Bushey et al disclose processing a customer request to purchase an item or service (ordering a product or service, column 6, lines 54-57); retrieving historical customer interaction data associated with said customer from a customer value database (database 6, figure 6); computing a customer value (customer model value S10, figure 4) based on said customer request and the historical customer interaction data (query of customer background S8 and task and attitude information S9, figure 4); and updating said customer value database (update customer model S11).

Claims 11-17 are rejected based upon the rejection of claims 1, 2, and 4-7, since they are the computer-readable medium claims corresponding to the method claims.

6. Claims 8-10 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bushey et al (USPN 6,389,400), in view of Kannan (US 2001/0054064), in further view of Sanders et al (USPN 6,574,605).

As per claim 8, Bushey et al disclose a method for interaction with a customer from a customer interaction center (i.e., service center) over a computer network, comprising receiving from the customer a request to interact with a CSR over a computer network to a customer interaction center (customer contacts the service center through a customer interface, including telephone, interactive voice response system, internet, or computer, figure 6 and column 9, lines 38-45); if the customer initiates contact via telephone connection, telephone voice connection and a client computing device, and automatically calculating a customer value for the customer based on historical customer interaction information (i.e., customer model developed from information obtained through customer task and query along with background information is quantified into a customer score, column 9, lines 4-7); and determining whether said customer value exceeds a predetermined threshold (threshold match value, column 10, lines 35-37).

Bushey et al does not disclose if said customer value is less than said predetermined threshold presenting said customer with a partial list of interaction options and receiving a selection, or if said customer value is not less than said

predetermined threshold, presenting said customer with a complete list of interaction options and receiving a selected interaction option from the customer. Kannan et al disclose the customer selecting the type of customer service wanted, including via computer (question/answer) or phone (live CSR), based upon the authorization for the type of customer service the customer can receive, whether the customer is high-margin or low-margin (§ 0088). Neither Bushey et al, nor Kannan disclose evaluating the customer contact using character recognition to produce processed data and conveying the processed data to the CSR for response to the customer. Sanders et al disclose scanning all documents from certain service channels (i.e., fax, letter mail) into electronic images, wherein the customer service center picks up the images through the system (column 3, lines 38-41). Bushey, Kannan, and Sanders are concerned with effective customer service, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include presenting said customer with a partial list of interaction options and receiving a selected option from the customer, if said customer value is not less than said predetermined threshold, presenting said customer with a complete list of interaction options and receiving a selected interaction option from the customer, and evaluating the customer contact using character recognition to produce processed data and conveying the processed data to the CSR for response to the customer in Bushey, as seen in Kannan and Sanders, respectfully, as an effective means of providing the corresponding interaction options to the customer via the customer interface, thus making the system more robust.

As per claim 9, Bushey et al does not disclose receiving a request over a wireless medium to a customer interaction center. Kannan discloses a wireless link (§ 0151). Both Kannan and Bushey are concerned with effective customer service, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include wireless link in Bushey, as seen in Kannan, thereby increasing the various methods of customer interface in the Bushey system, thus making the system more robust.

Claim 10 is rejected based upon the rejection of claim 6, as seen above.

Claims 18-20 are rejected based upon the rejection of claims 8-10, since they are the computer-readable medium claims corresponding to the method claims.

Response to Arguments

7. In the Remarks, Applicant argues that Kannan does not provide the customer with a list interaction options to select. The Examiner respectfully disagrees and submits the Kannan discloses the *customer selecting* the type of customer service wanted, including via computer (question/answer) or phone (live CSR), based upon the authorization for the type of customer service the customer can receive, whether the customer is high-margin or low-margin (§ 0088), as seen in the above rejection. Further, the Examiner submits Sanders et al as disclosing scanning all documents from certain service channels (i.e., fax, letter mail) into electronic images, wherein the customer service center picks up the images through the system (column 3, lines 38-41).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Goss (US 2004/0028213) disclose an enterprise contact server that enables customer to submit call-back requests.

-Gusick et al (US 2001/0047270) disclose a customer service system to enable different parties or organizations to communicate.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (703) 305-1867. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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